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Office of the Mayor
The City of Harrisburg
City Government Center
Harrisburg, PA 17101-1678

Stephen R. Reed
Mayor

June 23, 1998

Honorable William Kennard, Chair
Federal Communications Commission
1919 M Street, NW - Room 814
Washington, DC 20554

Ex Parte Filing in cases FO 91-171; FO 91-301

Dear Chairman Kennard:

We write to strongly urge that the FCC reject the proposed change in the Emergency Alert System (EAS) rules. Such changes would literally prevent people watching local TV stations on a cable system from receiving emergency announcements from their local public safety authorities. Since more persons are watching programs televised by cable carriers than ever before, this seems a bizarre -- even dangerous proposition.

There is no basis for such a preemption of state and local public safety authorities, particularly against their will. All viewers of cable channels should get emergency announcements from their local public safety authority. Otherwise, public safety is measurably harmed. We ask that you reject the proposed change, including any proposal to preempt franchise provisions on local emergency alerts.

Municipalities are charged with protecting the public safety. They have trained public safety authorities on duty 24 hours a day with an obligation and duty to notify the public of emergencies. Where they have felt it necessary (such as when TV station announcements were inadequate or needing supplementing) municipalities require all channel local alert systems in their cable franchises. It is a violation of Federalism, common sense and the FCC's statutory duty to turn this vital public safety function over to a private party who has no obligation, training or authority on public safety matters.

Broadcasters supporting the proposed rule claim that their emergency alerts are superior to those of state and local public safety authorities. That has not been the experience of most in the emergency management field. Moreover, this is a decision for each municipal safety authority to determine on a case by case basis, as reflected in their cable franchise. This decision cannot be turned over to a private party with no public safety obligation.

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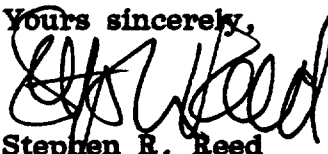
Alert systems deal with emergencies where public safety authorities have determined that the public needs to be informed immediately. The fact that emergency alerts from public safety authorities may occasionally overlap those of private parties (such as broadcasters) is a minor problem, if it is a problem at all. The NAB's proposed rule is unacceptable because it virtually guarantees a substantial reduction in the number of people receiving emergency announcements from their local public safety authority.

Emergency information on TV stations can be helpful but typically apply mainly to weather. Local emergency alerts are also used for other types of emergencies, such as hazardous material spills, gas leaks, prison escapes, street and bridge closings and local snow emergencies. TV stations typically do not cover these events. In part, this is because TV stations serve hundreds of communities. They don't cover local emergencies which affect only one community. Cable systems are often the best or only means for municipalities to alert their residents to local emergencies which reflect local conditions.

The Cable Act allows communities in franchise renewals to require cable systems to meet community needs. Local emergency alert systems are a part of meeting such needs. These provisions of the Cable Act cannot be preempted. We believe that any attempt at preemption would violate principles of Federalism and the U. S. Constitution due to public safety matters being of vital local concern.

We appreciate your consideration of these views.

Yours sincerely,



Stephen R. Reed
Mayor

SRR/psr-j

cc: Commissioner Harold Furchtgott-Roth
Commissioner Michael Powell
Commissioner Gloria Tristani
Commissioner Susan Ness
Mr. John Logan
Ms. Magalie Roman Salas



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